



PATENT
Ser. No. 09/714,351
Atty Docket No. 1662/50302
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Atalon, et al. Art Unit: 1626
Serial No.: 09/714,351 Examiner: R. Gerstl
Filed: November 16, 2000
For: POLYMORPHIC FORM OF ATORVASTATIN CALCIUM
Docket No.: 1662/50302

Assistant Commissioner
for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: May 14, 2002

Signature: John B. Starr, Jr.
John B. Starr, Jr. (Reg. No. 44,474)

A-7
V03
12-9-02

**AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111 WITH REQUEST
FOR EXTENSION OF TIME AND AUTHORIZATION TO DEBIT DEPOSIT
ACCOUNT**

Dear Sir:

The present paper is submitted in response to the Office Action mailed May 16, 2002

Please amend the Application as follows.

IN THE CLAIMS:

Please amend the claims as follows.

A'
3. (Amended) A crystalline form of atorvastatin calcium and hydrates thereof characterized by X-ray powder diffraction peaks at about 5.5 and 8.3 degrees at 2 θ and a broad peak at about 18-23 +/- 0.2 degrees 2 θ .

A2
5. (Amended) A crystalline form of atorvastatin calcium and hydrates thereof characterized by solid state ¹³C NMR signals at about 21.9, 25.9, 118.9, 122.5, 128.7, 161.0 and 167.1 ppm.

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01 FC:1253 920.00 CH

11/20/2002 WABDELRI 00000072 110600 09714351

02 FC:1201 252.00 CH

03 FC:1202 144.00 CH

04 FC:1203 280.00 CH